

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C.**

**MM Docket No. 94-130**

JAN 23 1995  
DOCKET FILE COPY ORIGINAL

**Comes now the commenter, Ham Broadcasting Co., Inc., who wishes to enter comments regarding the above captioned proposal.**

**1. Ham Broadcasting Co., Inc., (Ham) operates radio stations WKDZ and WKDZ-FM, Cadiz, KY, and anticipates other acquisitions in the future.**

**2. Ham wishes to urge the Commission to adopt new rules which allow unattended transmitter operation. Some time ago, Ham installed an automatic transmission system (ATS) which meets the Commission's current standards to allow for operation from a remote control point. This has greatly facilitated Ham's operations.**

**3. This ATS, in addition to allowing for remote operation, also constantly monitors and adjusts the transmitter, thus the transmitter is actually more closely monitored and operates as close to perfect parameters as is possible. As an example, although power deviations of as much as 10% below authorized**

No. of Copies rec'd 024  
List A B C D E

**power or 5% above are allowed, the ATS keeps the power exactly on 100%. In short, the technical operation of radio stations is IMPROVED by using ATS systems. No more human error. This would not encourage negligence or irresponsibility on the part of certain licensees, but would IMPROVE technical operations because the ATS would keep the station within parameters automatically, whereas a negligent operator simply might not pay attention to the parameters.**

**4. Unattended operation should be permitted only with the use of an ATS device. Otherwise, there is no insurance that an out of tolerance situation will not continue indefinitely. We feel that a fifteen minute rather than three minute time period before automatic shutdown would be more realistic. In that time period, although there is no assigned duty operator, the ATS would have an opportunity to call station personnel or a contract engineer and advise them of the situation, and they would then have an opportunity to react to the situation before the transmitter shut down.**

**5. Technology will allow the ATS to monitor tower lights, either constantly or at intervals. It could be programmed to call station personal, or even the FAA, if tower lights go out for an unusually long period of time.**

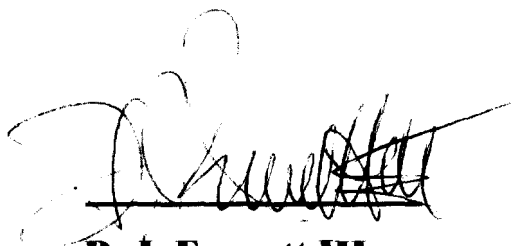
**6. Ham does not see any reason for the Commission to wait until implementation of the new Emergency Alert System to**

**allow stations which are properly equipped to change to Unattended Operation. Those stations now using dial up remote control equipment are required to have an operator on duty and to monitor EBS. Those stations would continue to be covered by the current rules until such time as they install the new EAS equipment. However, some stations may be delayed from converting to the EAS at the earliest possible moment, and will in fact wait until the last possible moment. It is unfair and unnecessary to penalize those stations wishing to convert at the earliest possible moment by withholding unattended transmitter operation until the final implementation date of the new EAS. Unattended operation should be allowed to commence as soon as a station is equipped with the necessary ATS system and has the new EAS system on line.**

**7. Restricted Permits are not needed, period. Since there is no testing or uniformity of administration now, they are simply an unnecessary nuisance. If the Commission desires some sort of operator registration, licensees could keep the names and addresses, etc., of operators in the public file.**

**8. With the state of the art transmitter control equipment now on the market, and with the new automatic EAS, the public interest is certainly served by allowing stations to use unattended transmitter operation. We urge the commission to adopt same at the earliest practical moment.**

**Submitted January 15, 1995**

A handwritten signature in black ink, appearing to read "D. J. Everett III", written over a horizontal line.

**D. J. Everett III**

**President**